

Appl. No. 10/602,464
Paper dated February 8, 2007
Reply to Office Action dated November 8, 2006

REMARKS

Claims 1-11, 16 and 17 are pending in the application. Claims 4-11 are withdrawn from consideration and claims 1-3, 16 and 17 are under prosecution.

Claims 1-3 and 16-17 are rejected under 35 U.S.C. § 102(b) or being anticipated by Brown (U.S. Patent No. 6,651,169). By this paper, applicant amends claim 1 to more particularly describe and claim the instant invention. No new matter has been added.

The present invention uses the nucleic acid probe array having the probe immobilized on the flat surface of the substrate and thus provides a preferred configuration of the probe array substrate in which the substrate can conveniently be heated. Claim 1 has been amended to make clear that the probe is immobilized on the flat surface of the substrate. In contrast, Brown only discloses a well plate configuration having many wells. Thus, applicant respectfully submits that the invention is not anticipated by Brown.

Applicant have not independently addressed the rejections of the dependent claims. Applicant submits that, in view of the amendments to the claims presented herein and, for at least similar reasons as to why the independent claims from which the dependent claims depend are believed allowable as discussed supra, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

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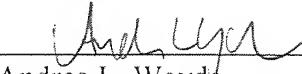
CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5069.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: February 8, 2007

By: 
Andrea L. Wayda
Registration No. 43,979

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile